

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADAPTIX, INC.,

Plaintiff,

v.

ALCATEL-LUCENT USA, INC., et al.,

Defendants.

Civil Action No. 6:15-cv-00041-RWS

**CONSOLIDATED LEAD CASE
PATENT CASE**

ADAPTIX, INC.,

v.

**ERICSSON INC.,
TELEFONAKTIEBOLAGET LM
ERICSSON, CELLCO PARTNERSHIP
d/b/a VERIZON WIRELESS, and SPRINT
SPECTRUM L.P.**

**Civil Action No. 6:15-cv-00042
PATENT CASE**

**PLAINTIFF'S ANSWER TO DEFENDANTS
ERICSSON INC. AND TELEFONAKTIEBOLAGET LM ERICSSON'S
COUNTERCLAIMS**

Plaintiff, ADAPTIX Inc. ("ADAPTIX"), answers the counterclaims of Defendants Ericsson Inc., and Telefonaktiebolaget LM Ericsson ("Defendants"), as follows:

COUNTERCLAIMS

PARTIES

- 43. Denies.
- 44. Admits, although "principle" should be "principal."
- 45. Admits, although "principle" should be "principal."
- 46. Admits.

JURISDICTION AND VENUE

47. Admits, assuming that by “[t]his is an action” Defendants meant “These are counterclaims.”

48. Denies that 28 U.S.C. §§ 2201, 2202 provide jurisdiction, but otherwise admits.

49. Admits.

50. Admits.

FIRST COUNTERCLAIM
(DECLARATORY JUDGMENT OF NONINFRINGEMENT)

51. Denies.

52. Denies.

53. Denies.

SECOND COUNTERCLAIM
(DECLARATORY JUDGMENT OF INVALIDITY)

54. Denies.

55. Denies.

56. Denies.

PRAYER FOR RELIEF

WHEREFORE, ADAPTIX respectfully requests that this Court:

- a. Deny all relief requested in Defendants’ Counterclaims;
- b. Grant the relief requested by ADAPTIX in its Complaint; and
- c. Grant ADAPTIX such further relief as this Court finds appropriate.

Date: August 5, 2015

Respectfully submitted,

By: /s/ Paul J. Hayes

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ATTORNEYS FOR PLAINTIFF
ADAPTIX, INC.

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 5th day of August, 2015, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Paul J. Hayes

Paul J. Hayes